IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

WEDNESDAY, THE 10TH OCTOBER 2007 / 18TH ASWINA 1929

W.A.No.2437 of 2007

AGAINST THE JUDGEMENT IN W.P.(C).NO.28343/2007 DATED 25/09/2007

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APPELLANT: PETITIONER:-

C.K. ABDUL MAJEED,
S/O. KOCHAHAMMED,
CHIRAKKAKKUDY HOUSE,
KANDANTHARA,
ALLAPRA (P.O),
PERUMBAVOOR.

BY ADV.SRI.C.K.ABDUL RAHIM

RESPONDENTS: RESPONDENTS:-

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1. THE KERALA STATE ELECTRICITY BOARD,
   REP. BY ITS SECRETARY,
   VYDHYUTHI BHAVAN,
   PATTOM (P.O),
   THIRUVANANTHAPURAM.

2. THE ASSISTANT ENGINEER,
   ELECTRICAL SECTION,
   KSEB VENGOLA,
   VENGOLA (P.O)
   PERUMBAVOOR.

BY STANDING COUNSEL SRI.C.K.KARUNAKARAN.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 10/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

H.L.Dattu,C.J. & K.T.Sankaran,J.

W.A.No.2437 of 2007

Dated, this the 10th day of October, 2007

JUDGMENT

H.L.Dattu,C.J.

Sri.C.K.Karunakaran is directed to take notice for the respondents.

(2) Though the matter is listed for admission, by consent of counsel appearing for the parties, the matter is taken up for final hearing.

(3) A harmless order passed by the learned Single Judge has become the subject matter of this Writ Appeal. In the normal course, we would not have entertained this Writ Appeal. But because of the fervent plea made by the learned counsel appearing for the appellant, we modify the order passed by the learned Single Judge as under:

Order

(i) The respondents shall reassess the electricity charges and other amounts payable by the appellant as directed by the Ombudsman in Exhibit P16 within a week's time from today.

(ii) After such reassessment, the respondents shall serve the demand notice to the appellant/consumer within three days thereafter.

(iii) If the amounts as demanded is paid by the appellant/consumer, the respondents shall restore the power supply to the appellant's electrical installations.

Ordered accordingly.

H.L.Dattu
Chief Justice

K.T.Sankaran
Judge

vku/-